

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JOEL B. MONTGOMERY, et al.,

Plaintiffs,

:

Case No. 3:07-cv-470

-vs-

Magistrate Judge Michael R. Merz

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MARY L. SANDERS, et al.,

Defendants.

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**ORDER TO SUPPLEMENT RULE 26(f) REPORT**

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By Order of October 6, 2009, the Court, on request of counsel, re-set the discovery cut-off herein to March 1, 2010, and the dispositive motion date to April 1, 2010. The previously set trial date of June 14, 2010, was not modified. In the Order, the Court recognized that the parties might seek additional modifications.

Having heard nothing further, the Court inquired through Judicial Assistant Kelly Kopf and was advised by Plaintiff's counsel that there continued to be discovery problems and perhaps a desire to amend the pleadings which would prevent a trial in June.

To ensure that any discovery matters are promptly addressed and that this case is tried, settled, or otherwise completed in a timely manner, counsel are ordered to confer and prepare a supplement to their Rule 26(f) Report which lists:

1. All discovery completed to date.
2. Additional discovery contemplated by either party with a schedule for its completion.
3. Any outstanding unresolved discovery issues and counsel's plan for resolving them or placing them before the Court for resolution.

4. Counsels' requested dates for discovery cut-off, dispositive motion deadline, and trial, plus any other dates which require re-scheduling.

The Rule 26(f) supplement shall be filed not later than February 1, 2010.

January 18, 2010.

s/ **Michael R. Merz**  
United States Magistrate Judge